

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PHILLIP CHARLES GIBBS, #810512,

Petitioner,

Case No. 14-cv-14028
Hon. Matthew F. Leitman

v.

JEFFREY WOODS,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR BOND

Michigan prisoner Phillip Charles Gibbs ("Petitioner") has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 asserting that he is incarcerated in violation of his constitutional rights. Respondent has recently filed an answer to the amended habeas petition in this reopened case. The matter is before the Court on Petitioner's motion for bond.

The United States Court of Appeals for the Sixth Circuit has stated that to receive bond pending a decision in a federal habeas case,

[P]risoners must be able to show not only a substantial claim of law based on the facts surrounding the petition but also the existence of 'some circumstance making [the motion for bail] exceptional and deserving of special treatment in the interests of justice.' *Aronson v. May*, 85 S. Ct. 3, 5; 13 L. Ed. 2d 6, 9 (1964) [additional citations omitted]. There will be few occasions where a prisoner will meet this standard.

Lee v. Jabe, 989 F.2d 869, 871 (6th Cir. 1993) (quoting *Dotson v. Clark*, 900 F.2d

77, 79 (6th Cir. 1990)). Having considered Petitioner's motion and conducted a preliminary review of his case, the Court is not persuaded that the interests of justice require Petitioner's release on bond pending the resolution of this case. Accordingly, the Court **DENIES** Petitioner's motion for bond.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 14, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 14, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764